IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 2777 OF 2004

IN

FIRST APPEAL (ST) NO. 15355 OF 2004

Office Notes, Office Memoranda of Coram, appearances, Court's Orders or directions and Registrar's Orders	Court's or Judge's Orders
	Ms. Kiran Bhagdia for the appellants. S.B. Shetye, for respondent nos.1 to 6.

CORAM: S.B. DESHMUKH, J.

September 22, 2006.

P.C. :

1. Heard the learned counsel for the appellant as well as respondent.

2. It appears that the appeal is on Stamp Number. The present appellant has filed Civil Application No. 2777 of 2004, seeking leave of

this court for filing of the present appeal i.e. First Appeal (St) No. 15355 of 2004. The advocate for the appellant, submits that infact applicant was party to the Land Reference application NO. 92 of 1994 before the trial court and therefore there was no necessity for filing of Civil Application No. 2777 of 2004 seeking leave of this court. In this view of the matter, on September 8, 2006, the learned counsel for the applicant / appellant sought withdrawal of the Civil Application No. 2777 of 2004 which is permitted by this court. Even though Civil Application No. 2777 of 2004 is allowed to be withdrawn, First Appeal (St) No. 15355 of 2004, filed on behalf of the appellant requires to be considered in accordance with the provisions of law. The learned counsel for applicant to remove

office objections, if any, within a period of four weeks from today.

. List this First Appeal (St) No. 15355 of 2004 for admission on 14.11.2006.

. This order is passed since the office has listed this matter for speaking to minutes in relation to order dated 8.9.2006 passed by this court on Civil Application No. 2777 of 2004.

SD/-

(JUDGE)